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# The Contributions of Rape Humor to a Rape-Prone Society

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The Contributions of Rape Humor to a Rape-Prone Society

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WOMN 252

## The Contributions of Rape Humor to a Rape-Prone Society

### “A Girl Walks into a Comedy Club...”

In July of 2012, an incident surrounding stand-up comedian Daniel Tosh brought the issues surrounding rape humor to the forefront of the media. During his routine at the Laugh Factory, Tosh began speaking about rape jokes and how these types of jokes are always hilarious. A young woman, who disagreed with Tosh's stance, shouted out, “Actually, rape jokes are never funny.” Taken aback, Tosh pointed to the young woman and responded, “Wouldn't it be funny if that girl got raped by like, 5 guys right now? Like right now?” (Burton, and Michelle Bruns). This resulted in the audience's applause and laughter. The young woman, feeling threatened and embarrassed, left the club and complained to the management. Tosh later apologized for his actions via Twitter: “All the out of context misquotes aside, I'd like to sincerely apologize... the point I was making before I was heckled is there are awful things in the world but you can still make jokes about them. #deadbabies” (McGlynn).

Once this story was brought to the media, rape humor became a widely talked about subject. Those who commented on the story generally fit into one of two categories: those who thought that Tosh's remarks were out of line and those who thought the young woman was “asking for it” by heckling him. Comedian Dane Cook commended Tosh's act and stated, “If you journey through this life easily offended by other peoples words I think it's best for everyone if you just kill yourself.” Similarly, Doug Stanhope replied to Tosh's apology saying “You're hilarious. If you ever apologize to a heckler again I will rape you” (McGlynn). Not all comedians stood by their colleague. Comedic blogger Miss O'Kistic responded to the incident saying, “How dare you call out Daniel Tosh. This is AMERICA, where rape jokes are free speech but

condemning them is censorship by humorless bitches” (Weiss). Not only was the young woman at the Laugh Factory harassed for calling out Tosh, but others who voiced their opposition were attacked as well. Actress Martha Plimpton posted her views on the incident on Twitter and instantly received backlash from Tosh supporters: “Nothing I have tweeted, ever, has brought more disgusting vitriol and hate than my tweet calling out Daniel Tosh on his rape bit. Nice fans” (Weiss).

Tosh was not the first person to use rape as the punch line of a joke, and he certainly will not be the last. Comedians include this type of off-color humor for many different reasons. Some argue that they include it to make a larger political statement, while others include it to add shock value to their acts. Some comedians include it because they truly believe that the topic could be funny within the right context (Kramer 144). While comedians and audiences enjoy the light-hearted jokes, rape humor has great effects at the global level. Rape humor contributes to a rape-prone society by constructing the condemnation of rape as situational and eradicating empathy for victims as they become the butt of the joke.

There is great debate over the terminology used in relation to rape. For the purpose of this paper, rape humor will refer to any statement that promotes laughter through the mention of rape. Similarly, a rape-prone society will be defined as a society that features high numbers of sexual assault, low report rates of sexual assault, and the acceptance of sexually violent images and messages.

### When Is a Rape a “Legitimate” Rape?

Around 300 BC, Athens was introduced to Menander and Greek New Comedy. The majority of Menander’s comedies featured a rape-plot pattern that began with the protagonist

raping and impregnating a young female Athenian and ended in a happy marriage between the protagonist and the victim (Lape 80). While the act of rape is not explicitly depicted in the comedies, Menander sets up a similar location and context involving some sort of nocturnal festival, passion, and alcohol (Lape 93). By implementing a similar situation in every comedy, the audience becomes desensitized to the act of rape within a certain context. In “The Poetics of Rape” Susan Lape argues that Menandrian Comedy is “able to construct rape as a judicially neutral incident of sexual passion because it strips the act of the social context that would invest it with legal and judicial significance” (95). Consequently, this makes the condemnation of rape completely situational in the eyes of the public: sometimes it’s rape, and sometimes it’s not.

Within the context of the United States, the determining factors of how society characterizes rape typically rely on the actions of the victim. When reporting a rape or other form of sexual assault, victims are often asked questions like “Where you intoxicated?”, “Did you try to resist?”, and “What were you wearing?” Earlier this year, feminist writer Jessica Valenti wrote an article addressing how society characterizes rape and the victims of rape. Valenti argues that the rhetoric used when discussing rape has contributed to the situational aspect of rape:

If you’re married, you’ve contractually agreed to be available for sex whether or not you want to. If you’re a woman of color, you must be a liar. If you don’t have as much money as your attacker, you’re just looking for a payday. If you’re in college, you shouldn’t want to ruin your poor young rapist’s life. If you’re a sex worker, it wasn’t rape it was just “theft of services.” If you said yes at first but changed your mind, tough luck. If you’ve had sex before, you must say yes to everyone. If you were drinking you should have known better. If you were wearing a short skirt what did you expect? (Valenti).

This type of rhetoric has led to the perception of two forms of rape: gray rape and legitimate rape. Rape that included any of the characteristics that Valenti describes typically fell under gray rape, where the assault was allegedly caused by the victim’s sexuality. This discourse began to

make its way into courtrooms as the federal definition of rape described a very specific situation, which gray rape did not fall under. However, the FBI changed the official definition of rape earlier this year to include “the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim” (Office of Public Affairs). While the legal definition of rape has improved, society has not given up completely on the debate between gray and legitimate rape.

### Victims as the Butt of a Joke

Many philosophers have warned against the maliciousness associated with humor. This is because when a person makes a joke, it is typically at the expense of another person; this establishes a hierarchy between the person delivering the joke and the butt of the joke. In *Philebus*, Plato makes an argument to be weary of those who find pleasure in humor as it is a form of malice, finding happiness in other’s misfortunes (90). Thomas Hobbes argues that humor is “nothing else but a sudden glory arising from some sudden conception of eminency in ourselves, by comparison with the infirmity of others, or with our own formerly” (Smuts 335). This, in a sense, works as a form of “othering” by creating a boundary between those that find pleasure in the joke and those that are subject to the adversities of the joke.

Otto Santa Ana analyzed the power of a joke in influencing social opinions based on late-night comedy. Specifically, he studied audiences’ response to Jay Leno’s undocumented immigrant jokes. Santa Ana came to the conclusion that off-color comedy creates a social boundary between those in on the jokes and those of the butt of the joke, arguing that “no one of *them*, in this moment of satisfaction, can ever be one of *us*” (40). He goes on to argue that once

this hierarchy is established, it is difficult to ever sympathize with the butt of the joke: “People are incapable of pitying the butts of successful jokes, for we cannot get the release; that particularly primal pleasure of putting them below us, if we sympathize with them” (40).

Once society loses its empathy for the victims of rape, many people will place the brunt of the responsibility of the rape on the victim. This culpability is referred to as victim blaming. J. Harvey deconstructed the definition of victim blaming, arguing that it constituted three elements: (1) there is a victim, (2) the blame highlights inappropriate behaviors by the victim as the source of the harm, and (3) the blame is morally demeaning to the victim (46). A recent example of victim blaming involved an Arizona woman being groped at a bar by a police officer. The woman pressed charges against the officers, but case took a turn once it entered the courtroom. The officer was released on probation and the victim of the assault was berated by the judge for her choices that evening. The judge lectured, “If you wouldn’t have been there that night, none of this would have happened to you” (Lewis). The judge was not the only one blaming the victim; vast support of the officer from the community left the victim regretting that she had reported the assault in the first place.

### The Power of Celebrity

Like Tosh stated in his apology, many comedians argue that this type of off-color humor can help bring a little happiness to a terrible situation. When this is the case and a group of people are offended by the joke, comedians argue that they are taking it too literally. Some will go further and argue that they hear jokes at the expense of men, their profession, or another quality they possess and they are still able to find it funny. Merrie Bergmann argues that the type

of humor that is aimed at belittling women is on a different level than other types of humor. She writes:

A man who is not a member of a target ethnic group can typically accept friendly teasing or ridicule as just that, for he knows that it will end momentarily. On the other hand, a sexist joke is not an isolated event in which a woman is harmlessly teased or ridiculed; it is rather one instance among many in which women are belittled or disparaged. (76)

Because of the patriarchal social norms found in American culture, the majority of women encounter some form of sexism on a daily basis, whether that involves the denial of equal work for equal pay or being subject to street harassment. Because women are accustomed to being derided in the majority of social situations, being the butt of a joke just serves as another attack. However, since this attack is in the form of a joke, it takes all accountability away from the person initiating the attack because “they were just kidding.”

Comedians must also consider the influence that comes with their celebrity status. Many comedians will joke about a political or social issue with no intent on shifting public opinion. While the comedian may not structure their act with the purpose of influencing their audience, humor as it stands alone always creates a substantial impact on audiences. Santa Ana argues that the structure of humor and its delivery can have a greater influence on public opinion than the input of a credible news reporter (26). He states:

In contrast to news reporting practices, the discourse practices of humor establish a more personal relationship with the audience, making for more compelling communication. Within comedy (a genre that simplifies narrative), joke-telling discourse reinforces political messaging by way of its verbal felicity and conciseness (which facilitate memory) and with its ability to divert counter-arguments by reducing critical thinking among its audience. (26)



If a comedian does not intend to influence public opinion with his or her dialogue, he or she may not bother to accurately account for context and facts. Staci Beavers argues that this is one of the dangerous aspects of political and social humor. She states: “While the comedians’ primary job is, of course, entertainment, and viewers must bear the responsibility of separating fact from fiction for themselves, how many viewers are able (or bother) to do so?” (47). Not only will the joke influence public opinion, but it does so based of false perspective.

### Local and Global Consequences of Rape Humor

The consequences of rape humor are found at the local and the global levels. Considering the high rate of sexual assault and rape, it is very likely that a person that has been attacked is in the audience of a rape joke. Just hearing words associated with rape can trigger a person to emotionally relive that experience, let alone hearing someone find pleasure in the situation. Melissa McEwan, a participant in Elise Kramer’s study of online rape humor, discussed the impact that rape humor could have on a victim: “I’m bothered by the thought of a woman who’s recently been raped, who’s just experienced what may be the worst thing that will ever happen to her, and turns on the [TV] to watch her favorite comedian and have a much-needed laugh – only to hear him using that horrible, life-changing thing as the butt of a joke” (Kramer 155).

When victims are subject to situational rape and victim blaming, they are made to believe that what occurred was not a legitimate rape or that they had responsibility in preventing it. This insecurity leads to fewer reports being made and even fewer rapists being convicted for the assault. At the global level, this sends a message that the perpetrators of rape will rarely be held

accountable for their actions since the majority of the focus seems to be put on the victim. This may then lead to an increase in the number of rapes, further establishing a rape-prone society.

As it was clear in the case with Daniel Tosh, comedians that partake in rape humor are quick to be defended if confronted with any backlash of the joke. Similarly, they are able to bypass all accountability simply by reaffirming that the statement was only meant as a joke. This allows for society to tolerate these sexually violent messages as those who try to condemn it are pushed aside. Even though there have been progressive changes made in U.S. legislation, social perceptions of rape continue to hold the country back. In order to see an end to the rape-prone society, people must work on altering the social gender norms that lead to victim blaming, bring an end to situational rape, and hold those who bring humor to rape accountable for the social consequences of rape humor.

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